

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUBEN MANUEL  
MARTINEZ-BANUELOS (1),

Defendant.

Case No. 15cr0356-BAS

AMENDED ORDER OF  
CRIMINAL FORFEITURE

On August 8, 2016, this Court entered its Preliminary Order of Criminal Forfeiture, which condemned and forfeited to the United States all right, title and interest of RUBEN MANUEL MARTINEZ-BANUELOS (1) ("Defendant") in the properties listed in the Forfeiture Allegations of the Indictment, namely,

- (a) one MH2B .50 caliber belt fed rifle (serial number 0000075);
- (b) one .50 caliber belt fed rifle (serial number 000503);
- (c) 1,314 rounds of .50 caliber ammunition;
- (d) 217 .50 caliber casings;
- (e) 6 M-9 .50 caliber links;
- (f) one M63 Anti-Aircraft Mount with Spare Cradle;
- (g) one Reloading Press;
- (h) one Cleaining Kit;
- (i) one Link Press;
- (j) one .50 caliber belt fed rifle (serial number obliterated);
- (k) one AK-47 rifle (serial number N-PAP013769);
- (l) 204 .50 caliber rounds;
- (m) one .308 caliber round;
- (n) one PS 90 Belgium Rifle (serial number 381SNFN045574);
- (o) one AK-47 Romania Rifle (serial number S1717862003);
- (p) one AK-47 USA rifle (serial number 39NC05268);

- (q) two AR-15 USA Rifles (serial numbers LW-135197 and RM08085);
- (r) one AR-15 lower receiver (serial number AR02562);
- (s) one 9 mm pistol (serial number 321782);
- (t) 20 .223 caliber rounds;
- (u) one 9 mm magazine;
- (v) 100 57x28 mm rounds;
- (w) one magazine with 30 rounds 7.62 millimeter ammunition;
- (x) 600 rounds 7.62 mm ammunition;
- (y) 414 7.62 ammunition links;
- (z) 499 .50 caliber ammunition links;
- (aa) 360 rounds of .50 links;
- (bb) one Marlin Rifle (serial number 25646310);
- (cc) one Kimber Semi Auto Handgun, 1911 (serial number KRF3845);
- (dd) one semi-auto cold 1911 Handgun .45 cal (serial number unknown);
- (ee) one semi-auto cold 1911 Handgun .45 (serial number CGR270);
- (ff) one AR upper receiver with black barrel (serial number unknown); and
- (gg) one AR upper receiver with silver color barrel (serial number unknown).

For thirty (30) consecutive days ending on July 4, 2016, the United States published on its forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of the Court's Order and the United States' intent to dispose of the properties in such manner as the Attorney General may direct, pursuant to 21 U.S.C. § 853(n) and Rule G(4) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and further notifying all third parties of their right to petition the Court within thirty (30) days of the final publication for a hearing to adjudicate the validity of their alleged legal interest in the properties.

There were no potential third parties known to the United States to have alleged an interest in the forfeited properties; therefore, no one was provided with direct notice of the forfeiture.

Thirty (30) days have passed following the final date of notice by publication, and no third party has made a claim to or declared any interest in the forfeited properties described above.

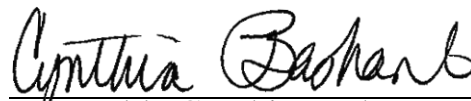
1           Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED  
 2 that, as a result of the failure of any third party to come forward or file a petition for  
 3 relief from forfeiture as provided by law, all right, title and interest of  
 4 RUBEN MANUEL MARTINEZ-BANUELOS (1) and any and all third parties in  
 5 the following properties are hereby condemned, forfeited and vested in the  
 6 United States of America:

- 7           (a) one MH2B .50 caliber belt fed rifle  
 (serial number 0000075);
- 8           (b) one .50 caliber belt fed rifle (serial number 000503);
- 9           (c) 1,314 rounds of .50 caliber ammunition;
- 10          (d) 217 .50 caliber casings;
- 11          (e) 6 M-9 .50 caliber links;
- 12          (f) one M63 Anti-Aircraft Mount with Spare Cradle;
- 13          (g) one Reloading Press;
- 14          (h) one Cleaining Kit;
- 15          (i) one Link Press;
- 16          (j) one .50 caliber belt fed rifle (serial number obliterated);
- 17          (k) one AK-47 rifle (serial number N-PAP013769);
- 18          (l) 205 .50 caliber rounds;
- 19          (m) one .308 caliber round;
- 20          (n) one PS 90 Belgium Rifle (serial number  
 381SNFN045574);
- 21          (o) one AK-47 Romania Rifle (serial number S1717862003);
- 22          (p) one AK-47 USA rifle (serial number 39NC05268);
- 23          (q) two AR-15 USA Rifles (serial numbers LW-135197 and  
 RM08085);
- 24          (r) one AR-15 lower receiver (serial number AR02562);
- 25          (s) one 9 mm pistol (serial number 321782);
- 26          (t) 20 .223 caliber rounds;
- 27          (u) one 9 mm magazine;
- 28          (v) 100 57x28 mm rounds;
- (w) one magazine with 30 rounds 7.62 millimeter  
 ammunition;
- (x) 600 rounds 7.62 mm ammunition;
- (y) 414 7.62 ammunition links;
- (z) 499 .50 caliber ammunition links;
- (aa) 360 rounds of .50 links;
- (bb) one Marlin Rifle (serial number 25646310);
- (cc) one Kimber Semi Auto Handgun, 1911 (serial number  
 KRF3845);
- (dd) one semi-auto cold 1911 Handgun .45 cal (serial number  
 unknown);
- (ee) one semi-auto cold 1911 Handgun .45 (serial number  
 CGR270);
- (ff) one AR upper receiver with black barrel (serial number  
 unknown); and
- (gg) one AR upper receiver with silver color barrel (serial  
 number unknown).

1 IT IS FURTHER ORDERED that costs incurred by Homeland Security  
2 Investigations ("HSI") and Bureau of Alcohol, Tobacco, Firearms, and Explosives  
3 ("ATF") and any other governmental agencies which were incident to the seizure,  
4 custody and storage of the properties be the first charge against the  
5 forfeited properties.

6 IT IS FURTHER ORDERED that HSI and ATF shall dispose of the forfeited  
7 properties according to law.

8 DATED: September 19, 2016

9 

10 Honorable Cynthia Bashant  
11 United States District Court  
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